



**Department of Health and Human Services
Office of the Commissioner
Policy and Procedure Statement**

Policy # DHHS-07-04

Issue Date: 07/01/04

Revised Date:

I. SUBJECT

Weapons in Department of Health and Human Services buildings, offices, work areas, parking areas and vehicles.

II. POLICY STATEMENT

It is the policy of the Department of Health and Human Services to prohibit the possession of weapons, either carried or stored, in any State (owned or leased) building, parking area, work area or in any other location, including personal vehicles during the conduct of Departmental business.

It is also the policy of the Department to prohibit any person (client, employee, or any other person), except a law enforcement officer on duty, to carry weapons in or about any DHHS-owned or leased building, office, parking area or work area. This policy applies to all employees at any location while on Departmental business or on work time. It also applies even if an individual possesses a legal permit to carry weapons.

In addition, all employees are subject to the provisions of "Capitol Area Security Rules", issued by the Commissioner of Public Safety, as amended.

Violation of this policy by a Department employee will result in disciplinary action, up to and including discharge.

III. RATIONALE

The Department of Health and Human Services considers the presence of weapons in any work setting or in any situation in which an individual is conducting Department business to constitute a threat.

IV. PROCEDURE STATEMENT

- A. Any employee who sees or has knowledge that a person has a weapon in any owned or leased DHHS building, office, parking area, work area or vehicle shall immediately notify a supervisor or manager.

The supervisor or manager shall inform the person that the Department prohibits the possession of weapons in the work area and instruct the person to remove the weapon from the premise immediately.

- B. If the person refuses to remove the weapon, the supervisor will notify the nearest law enforcement agency to remove the person. The supervisor or manager may notify law enforcement at any time if in the supervisor's or manager's judgment the situation warrants such action.
- C. Any report of an employee with a weapon in the work area shall be referred immediately to the Director, Human Resources by the employee's supervisor or manager.

V. DEFINITIONS

A "weapon" is an object or device whose primary function is to threaten or injure a person or to destroy property. It includes but is not limited to a firearm, explosive, blackjack, nightstick, hunting or lock blade style knives, mace and other chemicals. This definition is not intended to apply to the possession or use of objects whose primary function is as a tool that is appropriate to the work area, such as letter openers, eating utensils, or pen knives.

The work area is any office or other location in which Department business is conducted or in which any Department employee is conducting Department business. This includes buildings owned or leased by the State or the Department, premises leased by the Department, vehicles owned or leased by the State or the Department, or vehicles owned or leased by an employee while used in the conduct of the Department's business.

VI. DISTRIBUTION

Current employees will receive a copy of this policy periodically.

New employees will receive a copy of this policy upon hire.

Employees will be required to review and understand this policy as part of their annual performance review.

07/01/04

Effective Date

John R. Nicholas
Commissioner